

**IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM**

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF THE SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN

NOTICE OF CLAIM

IDENT. NO. **30**

RECEIVED
1117 6/10/73

TO A

WATER RIGHT 65-6312

Notice is hereby given that Lyle M. and MARION L. Deric

(Name of Claimant)

Department of Water Administration

Route 1 Box 224 Fruitland, Idaho 83619

(Mailing Address)

claims a right to the diversion and beneficial use of the surface or groundwater, or of tributary to the Payette River;

The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) 7-5-65
- (2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) Subterranean Groundwater
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: (Both Dates Inclusive)

1. Use <u>Domestic</u> <u>.04</u>	Period of Use From <u>Jan. 1</u> To <u>Dec. 31</u>
(Domestic, irrigation, stock, etc.)	(Mo., Day) (Both Dates Inclusive) (Mo., Day)
2. Use <u>Stock</u> <u>.02</u>	Period of Use From <u>Jan. 1</u> To <u>Dec. 31</u>
(Domestic, irrigation, stock, etc.)	(Mo., Day) (Both Dates Inclusive) (Mo., Day)
Use _____	Period of Use From _____ To _____
(Domestic, irrigation, stock, etc.)	(Mo., Day) (Both Dates Inclusive) (Mo., Day)
- (4) Quantity of water claimed: .06 Cubic Feet Per Second, or 1.1 Acre Feet Per Annum, and/or 18 Gals. Per Minute.
- (5) A) Point of Diversion: Give location of point where water is diverted from its source NE 1/4 NE 1/4, Sec. 10, Twp. 7N, Rge. 2W, B.M.; additional points: _____
 B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. Well 6 inch casing 2 stage jet 1 1/2 hp pump
- (6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
	<u>7N</u>	<u>SW 10</u>	<u>X</u>				<u>X</u>												

Total No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic Horse + Lawn + Garden Irrigation + Stock Water

- (7) Effluent, sewage waste, or return water from this use is discharged into Septic Tank
- (8) If you are claiming water as a member of an organization, list name of organization.
- (9) Remarks (Lot 5, Barker Subd)
- (10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case.
☐ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No.:

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

3-28-73
(Date)

Individual

Lyle M. S. Deric
(Signature of Claimant)

Organization

Marion L. Deric
(Signature of Spouse)

State of Idaho ss.
County of Payette

Organization Seal

8-25-78
(Signature of Authorized Agent)

On this 1st day of March, in the year 1973, before me, a notary public, personally appeared Lyle M. S. Deric + Marion L. Deric, known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

Notary Public residing at Fruitland, Idaho

My commission expires 8-6-74

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 65-6312
Date Received: 2/7/01
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s): MARION L DERIE FAMILY TRUST
5885 HWY 95
FRUITLAND ID USA 83619

Phone:

AND

LYLE M DERIE FAMILY TRUST
5885 HWY 95
FRUITLAND ID USA 83619

Phone:

2. Date of Priority: 07/05/1965

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07N	05W	10	NE NE	PAYETTE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	1/01	12/31	0.02	0.4
DOMESTIC	1/01	12/31	0.04	1.2

7. Total Quantity Appropriated is:
0.06 C.F.S. and/or 1.6 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	05W	10	NE NE		DOMESTIC	

11. Place of use in counties: PAYETTE

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

PROPERTY ALSO KNOWN AS LOT 5, BARKER SUBDIVISION.
Put in Derie Family Trust October 21, 1998.

15. Basis of Claim: Decreed

RECEIVED

FEB 08 2001

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO
IN AND FOR THE COUNTY OF TWIN FALLS

WATER RESOURCES
WESTERN REGION

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

RECEIVED

FEB - 7 2001

Ident. Number 65-06312
Date Received: 1/1/1900
Receipt No:
Received By:

Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LYLE M DERIE & MARION L. DERIE Family Trust *SMP*
5885 HWY 95
FRUITLAND ID USA 83619

~~MARION L. DERIE~~
~~5885 HWY 95~~
~~FRUITLAND ID USA 83619~~

Phone:

2. Date of Priority: 07/05/1965

3. Source: GROUND WATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
07N	05W	10	NE NE	PAYETTE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A.
STOCKWATER	1/01	12/31	0.02	0.4
DOMESTIC	1/01	12/31	0.04	1.2

7. Total Quantity Appropriated is: 0.06 C.F.S. and/or 1.6 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
07N	05W	10	NE NE	DOMESTIC	
07N	05W	10	NE NE	STOCKWATER	

11. Place of use in counties: PAYETTE

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks: Put in DERIE family TRUST October 21, 1998

LOT 5, BARKER SUBDIVISION.

15. Basis of Claim: Decreed

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication."

(b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Elyse M. Spive Date: 2-2-01

Marion Derie Date: 2-2-01

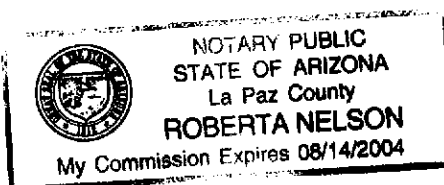
State of ARIZONA

County of La Paz)
) SS.

Subscribed and sworn (or affirmed) before me this

of 02/02 2001

Roberta Nelson



Notary Public

Residing at

Quartzsite Az

My commission Expires

08/14/04

03/26/2001

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-6312

NAME AND ADDRESS: LYLE M DERIE FAMILY TRUST
5885 HWY 95
FRUITLAND, ID 83619
MARION L DERIE FAMILY TRUST
5885 HWY 95
FRUITLAND, ID 83619

SOURCE: GROUND WATER

QUANTITY: 0.06 CFS
1.6 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

PRIORITY DATE: 07/05/1965

POINT OF DIVERSION: T07N R05W S10 NENE Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01-01 12-31	0.02 CFS
		0.40 AFY
DOMESTIC 1 HOMES	01-01 12-31	0.04 CFS
		1.20 AFY

PLACE OF USE:

STOCKWATER Within PAYETTE County
T07N R05W S10 NENE
DOMESTIC Within PAYETTE County
T07N R05W S10 NENE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

PROPERTY IS ALSO KNOWN AS LOT 5, BARKER SUBDIVISION.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 65-6312
Date Received: 2/7/01
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MARION L DERIE FAMILY TRUST Phone:

5885 HWY 95
FRUITLAND ID USA 83619

LYLE M DERIE FAMILY TRUST Phone:

5885 HWY 95
FRUITLAND ID USA 83619

2. Date of Priority: 07/05/1965

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07N	05W	10	NE NE	PAYETTE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	1/01	12/31	0.02	0.4
DOMESTIC	1/01	12/31	0.04	1.2

7. Total Quantity Appropriated is:
0.06 C.F.S. and/or 1.6 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
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C18 + N11 + N13

07N

05W 10

NE

NE

DOMESTIC

11. Place of use in counties: PAYETTE

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

PROPERTY ALSO KNOWN AS LOT 5, BARKER SUBDIVISION.
Put in Derie Family Trust October 21, 1998.

15. Basis of Claim: Decreed

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date:

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this
of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

WR5809NP
No. 65-06312

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/23/01
PAGE: 6

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LYLE M. DERIE	07/05/1965	STOCKWATER	01/01 12/31	0.020 CFS	0.40 AFA
C	MARION L. DERIE		DOMESTIC	01/01 12/31	0.040 CFS	1.20 AFA
	ROUTE 1 BOX 224					
	FRUITLAND ID 83619					
TOTAL DIVERSION:					0.060 CFS	1.60 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREEED

Point(s) of Diversion: T07N R05W S10

NENE

PAYETTE County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE			
				NENE				NENE				NENE				NENE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac		
07N	05W	10	:	D															

Place of use location for STOCKWATER is the same location as described for: DOMESTIC

Pou County: PAYETTE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
65-05827 65-06748 65-08440 65-09146

Other Water Rights Listing Overlapping Place(s) of use:
65-07031 65-07609

Remarks: GEN LOT 5, BARKER SUBDIVISION.

Dates:	App. Received:	Priority Date:	07/05/1965
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 06/13/86 04/30/88 CONVERT

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF THE SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN

NOTICE OF CLAIM

IDENT. NO.

RECEIVED
JAN 30 1978
P

TO A
WATER RIGHT 65-6312

Notice is hereby given that Lyle M. and Marion L. Derie

(Name of Claimant)

Department of Water Administration

Route 1 Box 224 Fruitland, Idaho 83619

(Mailing Address)

claims a right to the diversion

and beneficial use of the surface or groundwater, or of tributary to the Payette River;

The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) 2-5-65

(2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) Subterranean Groundwater

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: (Both Dates Inclusive)

1.2 Use Domestic .04 Period of Use From Jan. 1 To Dec. 31
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive) (Mo., Day)

+ Use Stock .02 Period of Use From Jan. 1 To Dec. 31
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive) (Mo., Day)

Use _____ Period of Use From _____ To _____
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive) (Mo., Day)

(4) Quantity of water claimed: .06 Cubic Feet Per Second, or 1.6 Acre Feet Per Annum, and/or 18 Gals. Per Minute.

(5) A) Point of Diversion: Give location of point where water is diverted from its source NE 1/4 NE 1/4
Sec. 10, Twp. 7N, Rge. 2W, B.M.; additional points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.)
Give sizes and capacities; be as specific as possible. Well 6 inch casing 2 stage jet 1 1/2 hp pump

(6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>7N</u>	<u>SW</u>	<u>10</u>	<u>X</u>				<u>X</u>												

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic House + Lawn + Garden Irrigation + Stock Water

(7) Effluent, sewage waste, or return water from this use is discharged into Septic Tank

(8) If you are claiming water as a member of an organization, list name of organization.

→ (9) Remarks Lot 5, Barker Subd

(10) Basis of claim (Check one): ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case.
☐ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No.:

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

3-28-73
(Date)

Individual

Lyle M. S. Derie
(Signature of Claimant)

Marion L. Derie
(Signature of Spouse)

Organization
8-25-78
(Signature of Authorized Agent)

State of Idaho
County of Boise

Organization
Seal

On this 28th day of March, in the year 1973, before me, a notary public, personally appeared Lyle M. S. Derie known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

Notary Public residing at Fruitland Idaho

My commission expires 8-6-74

1900

SEC. 3

6000

6000N
2000E

SEC 2

SW 1ST AVE.

SEC 10

SEC 11

BARKER
SUB. NO. 2

BARKER
SUB.

4

3

5975

2

5967
5965

5960

1

5955

1

5945

2

5935

3

5925

4

5

6 5885

7 5875

95

HWY

5800